

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF LABOR STATISTICS & RESEARCH
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

ADDRESS REPLY TO:

P.O. Box 420603
San Francisco CA 94142-0603



SCOPE OF WORK PROVISION

FOR

TUNNEL WORKER (LABORER)
(ALL CLASSIFICATIONS)

IN

SAN DIEGO COUNTY

DEPARTMENT OF INDUSTRIAL RELATIONS
Office of the Director
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
Tel: (415) 703-5050 Fax: (415) 703-5059/8

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603



August 22, 2009

**IMPORTANT NOTICE REGARDING
THE SAN DIEGO TUNNEL WORKER (LABORER)
GENERAL PREVAILING WAGE DETERMINATION**

The classifications of work listed below, as identified in the 2007-2011 San Diego Tunnel Master Labor Agreement by and between Associated General Contractors of America San Diego Chapter and Laborers' International Union of North America Local No. 89 were not published or recognized by the Department of Industrial Relations in the **August 22, 2009** issuance of the San Diego Tunnel Worker (Laborer) general determination, **SD-23-102-5-2009-1**. The rates associated with these unrecognized classifications **SHALL NOT** be applied or used on public works projects for the associated type of work.

The following classifications have not been adopted for public works projects:

Group 1

Batch Plant Laborer

Group 3

Tunnel Concrete Finisher

23-162-5

RECEIVED
Department of Industrial Relations

JUL 16 2007

Div. of Labor Statistics & Research
Chief's Office

TUNNEL MASTER AGREEMENT
FOR SAN DIEGO COUNTY
between
ASSOCIATED GENERAL CONTRACTORS OF AMERICA
SAN DIEGO CHAPTER, INC.
and
SOUTHERN CALIFORNIA DISTRICT COUNCIL OF LABORERS
and
ITS AFFILIATED LABORERS LOCAL 89

This AGREEMENT entered into this 1st day of July 2007, by and between the Associated General Contractors of America San Diego Chapter, Inc. hereinafter called the ASSOCIATION, and the Southern California District Council of Laborers affiliated with the Laborers' International Union of North America, AFL-CIO, on behalf of itself and its affiliated Local No. 89, hereinafter referred to as the UNION.

SECTION 1 - GENERAL PROVISIONS

The term Association shall refer to the Associated General Contractors of America, San Diego Chapter, Inc. The Contractors and the Union recognize and agree that the Association is the administrative representative of the Contractors, and the Association has no signatory status by the terms of this Agreement or otherwise.

The term Employer (or Contractor) shall refer to a person, firm or corporation party to this Agreement.

The term Union means the Southern California District Council of Laborers and its affiliated Local Union 89 which has jurisdiction over the work in the territory covered by this Agreement.

The term Local Union, as used herein, shall refer to Local Union 89, which has jurisdiction over the work in the territory covered by this Agreement.

The term Employee (or Employees) means the employed person or persons.

The term Workmen means persons in the Labor Market not employed. All personal nouns and pronouns refer to the male and female gender.

The term "Method of Delivery of Written Notices", required by this Agreement shall be satisfied by one of the following means of Delivery: e-mail, fax, certified mail or regular mail.

(a) This Agreement shall cover the construction, alteration, repair and demolition of tunnels, subways, shafts, raises and all underground excavations including lining of same. All open cut work

shall be excluded from this Agreement including open cut work which is covered over or decked with wood, steel or other substitute material.

(b) This Agreement shall apply to any employee who performs work falling within the recognized jurisdiction of Local Union 89 of the Laborers' International Union of North America, affiliated with the Southern California District Council of Laborers, except that this Agreement shall not apply to Superintendents, Assistant Superintendents, Civil Engineers and their helpers, Timekeepers, Confidential Help and Office Help.

(c) Geographical Coverage: This Agreement shall apply to the area generally known as San Diego County, California.

SECTION 2 - COVERAGE AND DESCRIPTION

This Agreement shall cover all work of construction, alteration, repair or demolition of all tunnels, shafts, raises, subways, and all underground excavations including lining of same (open cut work shall be excluded only to the extent as outlined in Section 1), which falls within the claimed jurisdiction of the Laborers' International Union of North America. Without limiting the scope of the work covered hereby it is agreed that miner's work shall include, but not be limited to the construction, laying and maintenance of all railroad track in subways and tunnels; all mining work including the

laser beams, shields
regardless of type or method used for work covered by this Agreement, sharpening of bits, steel nippers, dumpmen (power or manual), dry housemen, chucktenders, air tuggers, all conveyors, kemper pneumatic placer and all similar type equipment, all rock bolting and placing of rock restraining wire, setting all steel, including but not limited to placing, tying and bending of rebar, and wood supports,

drilling, loading and shooting, handling of all powder, including splitting and making primers; all timbering, retimbering, whether wood or steel; all mucking and dumping; cable tenders, swamper on muck trains and timber trains; handling, installing and extending all water, air and vent lines, while mucking; handling sponge pumps in wet headings;

all concrete work, including shotcrete (or similar type), gunite dumping of agitators;
handling of rods and other materials for use in reinforced concrete; stripping all forms and cleanup work; running of grout pumps and waterproofing, membrane vapor, barrier and H.D.P.E. installation.

This Agreement covers piping; all air, water, dewatering, discharge pipe, and ventilation lines; segment erector, Top Lander and Bottom Lander, as determined by the Contractor.

This Agreement shall also cover miner's work on that part of the open cut excavation two (2) diameters in front of the portal face, two (2) diameters in back of the portal face, one (1) diameter above the arch of the tunnel, and four (4) diameters on each side of the center line of the tunnel where, because of the nature of the conditions encountered, it is necessary to employ special techniques used in tunnel work in order to secure the portal area preparatory to commencing underground operations. Concrete operations covered by this Agreement are those which start at the tunnel portals or at the collars of the shafts, and are carried out underground. (Diameter as used above is the specified excavated diameter of the tunnel.)

Laborers' work on construction of structures such as, but not limited to, intake or outlet structures, power houses, and penstocks outside the portal face shall be outside work, though they may lie within the area defined above, and shall not be covered by the Tunnel Agreement.

The words "alteration, repair or demolition of all tunnels" as used in the first paragraph shall apply only to miner's work on the support of, the lining of, or the structure of the tunnel itself, but not to Laborers' work on mechanical or electrical facilities, road paving (excluding inverts), tile work, or other work within the tunnel not done with tunneling methods and equipment. Once a tunnel has been completed and put into full operation for the purpose for which designed, the provisions of the Master Labor Agreement between the Southern California General Contractors and the Southern California District Council of Laborers shall apply.

Swampers on moving trains shall be employees under this Agreement.

All classifications listed in this Agreement which are not listed under this Section shall be included in the coverage and description of work just as though incorporated in full in this Section.

Any Contractor not signatory to both the Tunnel Master Agreement for San Diego County and the Master Labor Agreement for San Diego County agrees that whenever work is performed which is covered by the terms of the Master Labor Agreement for San Diego County, the provisions of that Agreement shall be fully applicable to and binding upon the individual Contractor.

SECTION 3 - SUBCONTRACTORS

The terms and conditions of this Agreement insofar as it affects Employer and the individual employer shall apply equally to any subcontractor of any tier under the control of, or working under oral or written contract with such individual employer on any work covered by this Agreement to be performed at the jobsite or job yard, and said

SOUTHERN CALIFORNIA DISTRICT COUNCIL OF LABORERS

AFFILIATED WITH

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO

4889 SANTA ANITA AVENUE, SUITE 204

EL MONTE, CALIFORNIA 91731

TELEPHONE (826) 350-0900



ARMANDO ESPARZA
PRESIDENT

TONY R. HOFFMAN
SECRETARY-TREASURER

MIKE QUEVEDO, JR.
BUSINESS MANAGER

May 6, 2008

AFFILIATED LOCALS

BURBANK
LOCAL 345

KERN COUNTY
SAN LUIS OBISPO COUNTY
SANTA BARBARA COUNTY
LOCAL 220

HOLLYWOOD
LOCAL 724

LONG BEACH
LOCAL 507

LOS ANGELES
LOCAL 300

ORANGE COUNTY
LOCAL 652

POMONA
LOCAL 1414

RIVERSIDE-IMPERIAL
COUNTIES
LOCAL 1184

SAN BERNARDINO
INYO-MONO COUNTIES
LOCAL 788

SAN DIEGO
LOCAL 89

VENTURA
LOCAL 585

WILMINGTON
LOCAL 802

WEBSITE: SCDCL.ORG

• 26

Tim Stahlheber
Dept. of Industrial Relations, DLSR,
P.O. Box 420603
455 Golden Gate Avenue 9th floor
San Francisco, CA 94142

Dear Mr. Stahlheber,

The following are descriptions of work classifications that were requested by your Department: San Diego Tunnel Master Labor Agreement.



Changehouseman: Laborer in charge of attending changehouse. Duties include cleaning and supplying structure where Tunnel Laborers change from civilian clothes to work clothes and shower. Under OSHA Tunnel Safety Orders Title 8 Subchapter 20 Article 11 Section 8431, At all tunnels, the employer shall provide separate dressing rooms or a change house that provides for each sex, when applicable, with suitable facilities for changing clothes, located at a convenient place for use by the employees. Such facilities shall be provided with heating and lighting, equipped with at least one (1) shower bath with an adequate supply of hot and cold water for each of the five (5) employees of fraction thereof, along with provisions for drying work clothes and storing work clothes, and maintained in a clean and sanitary condition.

Dumpman, Outside: Laborer emptying muck cars of debris. Responsible for locking muck car wheels, and manning mechanism for dumping muck cars.

Loading and Unloading of Agitator Cars: Laborer in charge of loading and unloading concrete delivered from on site concrete batch plant into agitator/Moran rail cars to be delivered into the tunnel where concrete is to be placed.

Tool Man: Laborer in charge of issuing, maintaining and tracking tools and equipment needed for tunnel work.

Tunnel Materials Handling Man: Person working within the tunnel that receives materials needed to perform tunnel work. Secures and stages materials.

Group 3


Primer Man: Laborer in charge of setting primer charges in blasting operations

Group 4

Shaft and Raise Work: A Raise, is tunneling upwards in a 45 to 90 degree angle (a raise climber is utilized to move workers to the face of the heading. A Shaft is sunk straight down. Both classifications are considered the most dangerous operations in tunneling (mostly due to lack of lateral escape in the event of cave-in or materials falling into shaft from above. This classification covers Tunnel Laborers, performing Tunnel Laborer work, in Shaft and Raise work.

If you have any further questions in regards to these work classifications, I can be reached at (626) 350-6900.

Sincerely,


Henry Rodriguez
SCDCL Field Representative